

1 MR. SHOOK: There is.

2 MR. TOPEL: Okay.

3 MR. SHOOK: This is an underlying document with  
4 respect to the joint stipulation that was submitted by  
5 Glendale, Trinity, and the Bureau.

6 MR. TOPEL: Okay.

7 JUDGE CHACHKIN: Next one is 64. No, 64 has been  
8 received. The next one is 69. Any reason why --

9 MR. TOPEL: Excuse me, Your Honor, I need to, I need  
10 to find the new volume.

11 (Pause.)

12 MR. TOPEL: Your Honor, are we on?

13 JUDGE CHACHKIN: Yes.

14 MR. TOPEL: I had intended to object to 64 so I may  
15 have misspoken, but at this point I will not object to it  
16 subject to it being tied up on cross-examination.

17 JUDGE CHACHKIN: All right. Sixty-nine?

18 MR. SHOOK: We're referring to Exhibit 69 now?

19 JUDGE CHACHKIN: Yes. You didn't object to that  
20 one.

21 (Pause.)

22 MR. TOPEL: Subject to it being tied, I have no  
23 objection to 69.

24 JUDGE CHACHKIN: Bureau Exhibit 69 is received.

25

(Whereupon, the document previously

1 marked for identification as Bureau  
2 Exhibit 69 was received into  
3 evidence.)

4 JUDGE CHACHKIN: Next one is 71.

5 MR. TOPEL: Okay, these are, these are minutes,  
6 Your Honor, and I understand the Bureau's theory, so subject  
7 to their tying it I have no objection.

8 JUDGE CHACHKIN: Bureau Exhibit 71 is received.  
9 (Whereupon, the document previously  
10 marked for identification as Bureau  
11 Exhibit 71 was received into  
12 evidence.)

13 JUDGE CHACHKIN: Next one is 82.

14 MR. TOPEL: Yes, Your Honor, 82, I don't -- no, I  
15 don't know the relevance.

16 JUDGE CHACHKIN: All right. Mr. Shook?

17 MR. SHOOK: Your Honor, this is to put into context  
18 and provide other evidence of, of certain matters which at the  
19 time we put this exhibit together, we weren't certain that,  
20 you know, the evidence was going to be clear on this subject.  
21 For example, on page -- on the second page of the exhibit,  
22 it's a program listing and at 5 o'clock p.m. on Saturday, the  
23 name David Espinoza appears. This is -- this was going to  
24 show that Mr. -- or Reverend Espinoza was a programmer on, on  
25 TBN during this period of time. Turning to page 3, there is a

1 very short letter that is signed, or, you know, appears to be  
2 signed "Gratefully, Paul" referring to "Praise-a-thon '84"  
3 programs and projects, so this -- we believe, you know, would  
4 show Dr. Crouch's involvement in how this newsletter was put  
5 together and, and what the various projects were that TBN was  
6 soliciting funds for. The one that we definitely have the  
7 most interest in is when you turn to page 12, the third  
8 caption and picture that appears on the right-hand side of  
9 that page, again deals with --

10 MR. TOPEL: Pastor Espinoza.

11 MR. SHOOK: -- Pastor Espinoza, and there is a  
12 description of, you know, who he is in the Trinity picture.

13 MR. TOPEL: That's fine, Your Honor.

14 JUDGE CHACHKIN: All right.

15 MR. TOPEL: Subject to it being tied up with a  
16 relevant examination, I have no objection.

17 JUDGE CHACHKIN: Bureau Exhibit 82 is received.

18 (Whereupon, the document previously  
19 marked for identification as Bureau  
20 Exhibit 82 was received into  
21 evidence.)

22 JUDGE CHACHKIN: Eighty-three? I assume this shows  
23 the duties performed by Miss Duff, is that --

24 MR. SHOOK: That's one aspect of it. A second  
25 aspect of it is the activities of Mrs. Crouch in this picture.

1 MR. TOPEL: Is that mentioned?

2 JUDGE CHACHKIN: Yes.

3 MR. TOPEL: Are we on -- what number are we on?

4 JUDGE CHACHKIN: We're on -- 83.

5 MR. TOPEL: Eighty-three.

6 MR. SHOOK: It can be a little bit confusing because

7 there is --

8 MR. TOPEL: I see, I see. I got -- I see.

9 JUDGE CHACHKIN: All right.

10 MR. TOPEL: Okay, I --

11 JUDGE CHACHKIN: Bureau Exhibit 83 is received.

12 (Whereupon, the document previously  
13 marked for identification as Bureau  
14 Exhibit 83 was received into  
15 evidence.)

16 JUDGE CHACHKIN: Eighty-seven, more minutes and I'm  
17 going to receive it.

18 (Whereupon, the document previously  
19 marked for identification as Bureau  
20 Exhibit 87 was received into  
21 evidence.)

22 MR. SHOOK: Your Honor, has 86 been received?

23 JUDGE CHACHKIN: Eighty-six was previously received  
24 subject to being tied up.

25

MR. TOPEL: That's correct.

1 JUDGE CHACHKIN: Eighty-seven is received.  
2 Eighty-nine, another newsletter. All right, Mr. Shook, what  
3 are you offering this document for?

4 MR. SHOOK: Your Honor, for the list of stations  
5 that appears on the bottom of page 1 and there is also a  
6 reference to a Dr. Hill that appears on page 2. It's the  
7 second picture on the right.

8 MR. TOPEL: All right, I have, I have no objection  
9 to the document coming in to -- if Mr. Shook thinks he can  
10 elicit relevant testimony about a list of -- about the list of  
11 stations. I'm not sure that it's proper or fair to put -- to  
12 receive as evidence the, the fact that Pastor Hill's picture  
13 is shown absent the record evidence of all the other non-TBN  
14 things that he does. If the intent is to show that -- is, is  
15 to, is to weight the balance of, of, of Pastor Hill's  
16 directions, I think that's very misleading because he's a man  
17 who's involved in, in, in many other activities which we  
18 attempted -- which we wished to show. But I have no objection  
19 to it, to it being tied up on the page 1 point.

20 JUDGE CHACHKIN: Mr. Shook?

21 MR. SHOOK: Your Honor, you're calling upon my  
22 memory at this point in terms of what happened with respect to  
23 Dr. Hill's testimony.

24 JUDGE CHACHKIN: Is Dr. Hill going to be a witness?  
25

MR. TOPEL: Yes.

1 MR. SHOOK: He is, sir.

2 JUDGE CHACHKIN: All right, I'll, I'll overrule the  
3 objection and receive the exhibit then.

4 (Whereupon, the document previously  
5 marked for identification as Bureau  
6 Exhibit 89 was received into  
7 evidence.)

8 JUDGE CHACHKIN: Bureau Exhibit 92. Bureau  
9 Exhibit 92 is received.

10 (Whereupon, the document previously  
11 marked for identification as Bureau  
12 Exhibit 92 was received into  
13 evidence.)

14 JUDGE CHACHKIN: Bureau Exhibit 98 and 99 are also  
15 received.

16 (Whereupon, the documents previously  
17 marked for identification as Bureau  
18 Exhibits 98 and 99 were received into  
19 evidence.)

20 JUDGE CHACHKIN: 102 is another newsletter. What is  
21 relevant about this relevant, Mr. --

22 MR. TOPEL: Your, Your Honor --

23 JUDGE CHACHKIN: Yes?

24 MR. TOPEL: May I just have a, a standing ruling on  
25 the, on the minutes, that they're subject to being tied up. I

1 understand some of them relate to a theory about loans that  
2 was articulated. The last two that came in related to some  
3 theory about Mrs. Crouch that I have to confess I, I don't  
4 understand at all but if it's tied up, so be it. I have the  
5 same -- on paragraph -- on 98, there's apparently some new  
6 theory, so if, if the minutes are going to come in without  
7 specific commentary on, on each of them, I would like at least  
8 that they -- to have a ruling that they must be tied up on  
9 some kind of examination.

10 JUDGE CHACHKIN: Well, unless they speak for  
11 themselves -- I am examining them closely. They do show who  
12 attended these meetings and --

13 MR. TOPEL: Correct.

14 JUDGE CHACHKIN: -- and who spoke at these meetings,  
15 or what, what decisions were made at these meetings, and if  
16 that's relevant, I don't think that needs to be tied up.  
17 Nobody's questioning the accuracy of the minutes. Some other  
18 purpose which is not clear on the minutes, then of course it  
19 would have to be tied up before any kind of inference could be  
20 drawn.

21 MR. TOPEL: Thank you, Your Honor.

22 JUDGE CHACHKIN: Is that -- does the Bureau  
23 understand that?

24 MR. SHOOK: Yes, Your Honor, we, we recognize that  
25 many of these documents are ambiguous in and of themselves and

1 would need -- we would need to amplify what our thoughts are  
2 relative to each of them by way of testimony.

3 JUDGE CHACHKIN: All right. We are now at Bureau  
4 Exhibit -- what is it?

5 MR. COHEN: 102, I think.

6 JUDGE CHACHKIN: 102, yes. What, what's relevant  
7 about this document?

8 MR. SHOOK: Your Honor, at this point, we have TBN  
9 in the process of moving from 7 stations to 12 stations, and,  
10 and then there are references to what they are adding and  
11 building in terms of both low and what they characterize as  
12 medium-power stations. We have just simply additional  
13 evidence on the second page that "Paul," and we believe this  
14 to be Paul Crouch, is the author of the newsletter, and then  
15 moving to the third page, it's a little difficult to see but  
16 the bottom right on the third page has a reference to  
17 Pastor Aguillar.

18 JUDGE CHACHKIN: What is the reference to  
19 Pastor Aguillar?

20 MR. SHOOK: Well, simply a matter of, of showing,  
21 you know, continuing -- showing relationships.

22 JUDGE CHACHKIN: I see. Pastor Aguillar's  
23 relationship to TBN?

24 MR. SHOOK: Yes, sir.

25 JUDGE CHACHKIN: All right, those are the purposes



1 I'll receive Bureau Exhibit 102.

2 (Whereupon, the document previously  
3 marked for identification as Bureau  
4 Exhibit 102 was received into  
5 evidence.)

6 JUDGE CHACHKIN: Bureau Exhibit 106?

7 MR. TOPEL: In light of your rulings on things that  
8 pertain to Mrs. Duff and Dr. Crouch, I have no object to this  
9 subject to it being tied to something relevant to the  
10 proceeding.

11 JUDGE CHACHKIN: Bureau Exhibit 106 is received.

12 (Whereupon, the document previously  
13 marked for identification as Bureau  
14 Exhibit 106 was received into  
15 evidence.)

16 JUDGE CHACHKIN: The next one is 111, which is  
17 another newsletter and requires an explanation by the Bureau.

18 MR. TOPEL: Your Honor, did I --

19 JUDGE CHACHKIN: If you want --

20 MR. TOPEL: I -- may I have one, one moment? I  
21 thought that I was -- did, did I not object to 107?

22 JUDGE CHACHKIN: Subject to it being tied up.

23 MR. TOPEL: Oh, okay. I stand by what I said.

24 JUDGE CHACHKIN: All right.

25 MR. TOPEL: What are we up to next?

1 JUDGE CHACHKIN: 111, and you might as well also  
2 tell us about 112 at the same time. Well, there's also --  
3 111, 112, and 113. Why don't we deal with those three?

4 MR. SHOOK: With respect to 111, what the Bureau  
5 wishes to bring into the record is information as to how a  
6 corporation called Community Educational Television or CET  
7 was -- how it related in the Trinity family. There are --  
8 there is testimony, if I remember, to the effect that  
9 Community Educational Television is treated as an affiliate,  
10 such as the relationship between Trinity and All-American TV,  
11 or Tri-State, or any one of a number of, of organizations. it  
12 is the Bureau's view that this newsletter and other evidence  
13 will show that CET is really treated as an operating division  
14 of TBN. TBN views CET as an owned and operated company  
15 regardless of the makeup of the board of directors and  
16 regardless of who the officers are, and that the behavior of  
17 Trinity relative to CET is virtually identical to the behavior  
18 of Trinity relative to Translator TV and National Minority TV.

19 JUDGE CHACHKIN: All right, what about 113 -- 112?

20 MR. SHOOK: Well, 112 does present the contrast  
21 because in the case of Gadsden-Birmingham, this is a company,  
22 and I'm not, I'm not certain off the top of my head whether  
23 this is All-American or Tri-State, but this is a company that  
24 is not a member of the Trinity family of companies as such.  
25 This is somebody who is an honest-to-goodness affiliate, and

1 while the network can, can and will talk about bringing  
2 affiliated stations on the air, it will also distinguish --  
3 and there will be other pieces of evidence that show that  
4 Trinity distinguishes how it dealt with, how it related to,  
5 the licensee of Gadsden-Birmingham as opposed to how it  
6 relates to the licensee of the NMTV stations and the CET  
7 stations.

8 JUDGE CHACHKIN: What about 113?

9 MR. SHOOK: Your Honor, pages 5 and 6 for 113 will  
10 be unnecessary. Our focus will be on pages 1 through 4.  
11 First page, there is a mention of -- let me see if I can  
12 locate it. In the first paragraph, there is the mention of  
13 Dallas. Dallas was a -- or is licensed to a corporation. I  
14 believe it's Trinity Broadcasting of Texas. I'm not positive  
15 of the name at this point but Dallas is the number 12 station  
16 for Trinity, and this will give you the time line in terms of  
17 when number 12 was reached. This is October of 1986. On the  
18 second page, in the second paragraph, the second sentence,  
19 there are references to both Dallas and Houston. Well, in the  
20 case of Houston, Houston was a station that is -- was licensed  
21 initially, I -- or permitted, I believe, initially to a  
22 corporation called Educational Television of Texas, and  
23 eventually was folded into Community Educational Television.  
24 It was, as I say, an educational station but one which,  
25 although licensed to a separate company, TBN viewed it as an

1 owned and operated station, and that ties into the, you know,  
2 theory that I brought to your attention earlier with respect  
3 to 111. Again we have "Paul" -- we believe it could be Paul  
4 Crouch -- as the author of this portion of the newsletter. On  
5 page 3, we have another reference to the Reverend Hill as a  
6 programmer on TBN, and on page 4, down at the bottom, we have  
7 a list of stations.

8 MR. TOPEL: Your Honor, that -- may I be heard?

9 JUDGE CHACKIN: Yes.

10 MR. TOPEL: I'm not going to -- subject to these  
11 documents being appropriately tied up through examination of  
12 witnesses, I'm not going to ask you to exclude them. I, I  
13 would like the, the record to reflect that in the interest of  
14 time, I'm not going to respond to Mr. Shook's theory of the  
15 case. He's articulated it and he can examine, at least until  
16 objections get raised at that time or until examination is  
17 concluded. Obviously we don't subscribe to that theory but  
18 he's identified what he hopes to try to prove with these  
19 documents and let's see where it goes.

20 JUDGE CHACKIN: All right, Bureau Exhibits 111,  
21 112, and 113 are received.

22 (Whereupon, the documents previously  
23 marked for identification as Bureau  
24 Exhibits 111, 112, and 113 were  
25 received into evidence.)

1 JUDGE CHACHKIN: 115 and 117 are two more  
2 newsletters. We have to jump to another volume.

3 MR. TOPEL: Maybe the second, Your Honor.

4 JUDGE CHACHKIN: Yes.

5 (Pause.)

6 JUDGE CHACHKIN: All right, let's continue with 115.  
7 Enlighten us again, if you would, as to 115, which is another  
8 newsletter.

9 MR. SHOOK: Your Honor, our focus is not on the  
10 first two pages, and on the third page we have a time line  
11 of -- or an assistance with respect to the time line. There  
12 is a list of miracles and there are a number of things that  
13 are noted here.

14 MR. TOPEL: Well, Your Honor, I, I would just  
15 indicate, I -- that's fine if that's where Mr. Shook wants to  
16 go with that. It's in our direct case that the Dallas station  
17 was the 12th station, and then under the rule that was created  
18 for the very purpose of permitting there to be a 13th and 14th  
19 station, certain applications were filed. I have no problem  
20 with Mr. Shook establishing the time line, but I think is set  
21 forth in our direct case.

22 JUDGE CHACHKIN: Objection is overruled; Bureau  
23 Exhibit 115 is received.

24 (Whereupon, the document previously  
25 marked for identification as Bureau

1 Exhibit 115 was received into  
2 evidence.)

3 JUDGE CHACHKIN: And 117? That shows a time line.  
4 Anything else?

5 MR. SHOOK: Your Honor, we're also interested in the  
6 list of stations that appears on the fourth page.

7 JUDGE CHACHKIN: All right, Bureau Exhibit 117 is  
8 received.

9 (Whereupon, the document previously  
10 marked for identification as Bureau  
11 Exhibit 117 was received into  
12 evidence.)

13 JUDGE CHACHKIN: The next one is 133, another  
14 newsletter.

15 MR. SHOOK: Your Honor, the first paragraph, there  
16 is a reference to, first of all, affiliated -- actually, first  
17 there is a reference to Dallas, secondly there is the  
18 reference to Bartlesville-Tulsa, which is going to be an  
19 affiliated station. Then there will be -- then there is a  
20 reference to Houston, Texas, which is presently under  
21 construction, and we also have at the very last part of that  
22 first paragraph, you know, what TBN thinks of itself in terms  
23 of their being the largest group owner and what it is that  
24 they have.  
25

JUDGE CHACHKIN: Anything else?

1 MR. SHOOK: One second, Your Honor.

2 JUDGE CHACHKIN: I want to make clear that I'm not  
3 limiting you to what you could prove by these documents if you  
4 succeed in eliciting examination from the witnesses on other  
5 matters, but that these -- assuming you don't, these will be  
6 the matters the exhibit is being received for.

7 MR. SHOOK: Your Honor, also the list of stations  
8 that appears on the first page.

9 JUDGE CHACHKIN: Anything else at this time?

10 MR. SHOOK: Nothing at this time, Your Honor.

11 JUDGE CHACHKIN: All right, Bureau Exhibit 133 is  
12 received.

13 (Whereupon, the document previously  
14 marked for identification as Bureau  
15 Exhibit 133 was received into  
16 evidence.)

17 JUDGE CHACHKIN: 138, which is another newsletter?

18 MR. TOPEL: Your Honor, my understanding is that the  
19 receipt of these, even for the purpose -- the specified  
20 purposes that Mr. Shook is, is explaining is subject to him  
21 establishing probative evidence about those purposes from  
22 witnesses, and I think that's his intention. Is that correct?  
23 Oh, no, I should address --

24 JUDGE CHACHKIN: Counsel?

25 MR. SHOOK: Your Honor, we want to make this as

1 clear as we possibly can for, you know, one and all who are  
2 going to look at this and so, yes, it is certainly our  
3 intention to try to tie in what we believe to be, you know,  
4 relevant information in any newsletter with a witness's  
5 testimony. With respect to --

6 JUDGE CHACHKIN: I mean, there -- I assume you will  
7 concede, Mr. Topel, that the "Paul" is Paul Crouch.

8 MR. TOPEL: Oh, certainly.

9 JUDGE CHACHKIN: All right.

10 MR. TOPEL: My, my concern, for example, Your Honor,  
11 is the lists. Dr. Crouch was examined about some lists during  
12 his deposition and he explained them. I have no problem with  
13 that, but I have a problem if a list is put in and then it's  
14 argued that this is what Dr. Crouch meant the list to say if  
15 he doesn't have a chance to look at the list and explain what  
16 he had to say.

17 JUDGE CHACHKIN: I understand.

18 MR. TOPEL: And I understand Mr. Shook intends to,  
19 to permit that, so that's --

20 MR. SHOOK: We would recognize that as an  
21 evidentiary shortcoming if we didn't have, you know, some  
22 statement from Dr. Crouch as to, you know, how a list was put  
23 together and what it meant.

24 JUDGE CHACHKIN: All right.

25 MR. SHOOK: And this --



1 JUDGE CHACHKIN: 138, we're at now?

2 MR. SHOOK: Yes, sir, and there is a listing on  
3 page 4 that the Bureau would be interested in.

4 JUDGE CHACHKIN: Bureau Exhibit 138 is received.  
5 (Whereupon, the document previously  
6 marked for identification as Bureau  
7 Exhibit 138 was received into  
8 evidence.)

9 JUDGE CHACHKIN: 141?

10 (Pause.)

11 MR. SHOOK: Your Honor, on the fifth page, there are  
12 references to TBN stations, and the stations that are noted  
13 here include not only the domestic stations that are licensed  
14 to corporations that bear the name of Trinity but there is  
15 also Harlingen, Texas, for example, that appears on the bottom  
16 row, next-to-the-last, which is a CET station, and yet that  
17 is, that is pictured among this group of stations. Moving to  
18 page 9, again we have another helpful time line in that we  
19 have a list of miracles that deal with a number of activities  
20 that TBN is involved with in one way or another, and moving to  
21 page 13, we have another list of stations.

22 JUDGE CHACHKIN: Bureau Exhibit 141 is received.  
23 (Whereupon, the document previously  
24 marked for identification as Bureau  
25 Exhibit 141 was received into

1 evidence.)

2 JUDGE CHACHKIN: What about 143, the next one?

3 MR. SHOOK: Well, our -- what we're interested in,  
4 Your Honor, is the list of stations that appears on the third  
5 page.

6 JUDGE CHACHKIN: Bureau Exhibit 143 is received.

7 (Whereupon, the document previously  
8 marked for identification as Bureau  
9 Exhibit 143 was received into  
10 evidence.)

11 JUDGE CHACHKIN: 146. There is a special minutes --  
12 meeting and you're going to tie it in, is that correct?

13 MR. SHOOK: Yes, sir.

14 JUDGE CHACHKIN: Bureau Exhibit 146 is received.

15 (Whereupon, the document previously  
16 marked for identification as Bureau  
17 Exhibit 146 was received into  
18 evidence.)

19 JUDGE CHACHKIN: Bureau Exhibit 153, which is  
20 another newsletter.

21 MR. SHOOK: Your Honor, on page 3, there is a  
22 picture and, and a caption that deals with the Houston station  
23 that appears on the -- it's the second picture down on the  
24 right.  
25

JUDGE CHACHKIN: Yes, I see it.

1 MR. TOPEL: Which page, sir?

2 MR. SHOOK: Three.

3 JUDGE CHACHKIN: Page 3.

4 MR. TOPEL: Page 3, thank you.

5 JUDGE CHACHKIN: Anything else?

6 MR. SHOOK: The list of stations that appears on  
7 page 6.

8 JUDGE CHACHKIN: Bureau Exhibit 153 is received.

9 (Whereupon, the document previously  
10 marked for identification as Bureau  
11 Exhibit 153 was received into  
12 evidence.)

13 JUDGE CHACHKIN: Next is 158, which is another  
14 newsletter.

15 MR. SHOOK: On page 3 in the upper right-hand  
16 portion, there is a reference to Edie Hill, and on the fourth  
17 page there is the list of stations.

18 JUDGE CHACHKIN: Bureau Exhibit 158 is received.

19 (Whereupon, the document previously  
20 marked for identification as Bureau  
21 Exhibit 158 was received into  
22 evidence.)

23 JUDGE CHACHKIN: 160.

24 MR. SHOOK: Your Honor, page 7.

25 JUDGE CHACHKIN: Yes.

1           MR. SHOOK: The list of TBN stations which includes  
2 both Houston, which is at the bottom left, and Harlingen,  
3 which is next to the last, both of those stations being  
4 licensed to, you know, a non-TBN entity, at least by name,  
5 that is, Community Educational Television --

6           MR. TOPEL: With, with a common, at least one common  
7 director.

8           JUDGE CHACHKIN: Anything else with 160?

9           MR. SHOOK: Page 10, which has the list of miracles  
10 for this period of time.

11          JUDGE CHACHKIN: Anything else?

12          MR. SHOOK: And then page 12, which has a list of  
13 stations.

14          JUDGE CHACHKIN: Bureau Exhibit 160 is received.

15                               (Whereupon, the document previously  
16 marked for identification as Bureau  
17 Exhibit 160 was received into  
18 evidence.)

19          JUDGE CHACHKIN: Do we have to go to another volume  
20 now, is it? No, we have one more, 173, which is special  
21 meeting and I'm going to receive it. Bureau Exhibit 173 is  
22 received.

23                               (Whereupon, the document previously  
24 marked for identification as Bureau  
25 Exhibit 173 was received into

1 evidence.)

2 JUDGE CHACHKIN: Now we have to go to another  
3 volume. We'll take our luncheon recess until 1:30.

4 MR. TOPEL: Thank you, Your Honor.

5 (Whereupon, a brief recess was taken for lunch.)

6 JUDGE CHACHKIN: I guess we'll wait for the Bureau.  
7 Okay, we'll go off the record, then.

8 (Whereupon, a brief recess was taken.)

9 JUDGE CHACHKIN: Mr. Cohen handed me a massive  
10 document during -- before we went on the record. Could you  
11 describe what that is? It's a joint exhibit, you say, or one  
12 of --

13 MR. COHEN: No, I didn't mean to interrupt. It's  
14 not going to be offered, Your Honor, until, until you complete  
15 ruling upon the --

16 JUDGE CHACHKIN: All right.

17 MR. COHEN: -- Bureau's exhibits. I was just giving  
18 this to you as a matter of convenience.

19 JUDGE CHACHKIN: All right. I'll just, then, put it  
20 aside.

21 MR. COHEN: Yeah.

22 JUDGE CHACHKIN: Okay. We'll continue with the  
23 Bureau exhibits. Which volume, Volume 4 now, I guess?

24 MR. SHOOK: I think it's Exhibit No. --

25 MR. TOPEL: 184?

1 MR. SHOOK: -- 230? No --

2 MR. TOPEL: Your Honor, what exhibit number are we  
3 up to that hasn't been either --

4 JUDGE CHACHKIN: We're up to 184, I believe.

5 MR. TOPEL: 184, that's what I have.

6 MR. SHOOK: Okay, so -- I've got it.

7 (Pause.)

8 JUDGE CHACHKIN: Okay, 184, which is another  
9 newsletter.

10 MR. TOPEL: Excuse me, Your Honor, may I have 1  
11 second?

12 JUDGE CHACHKIN: Yes.

13 MR. TOPEL: I can't find my volume.

14 (Pause.)

15 MR. TOPEL: Thank you, Your Honor, I'm ready.

16 JUDGE CHACHKIN: Okay, Mr. Shook?

17 MR. SHOOK: The Bureau would focus its attention on  
18 page 2, which has a grouping of stations and station locations  
19 noted next to a picture. On page 4, there is a reference to  
20 low and medium-power stations, how much it costs to put one  
21 up, how many permits TBN had received and how they must move  
22 quickly or the permits would be lost; and those would be the  
23 two aspects of this newsletter which the Bureau would focus  
24 on.  
25

JUDGE CHACHKIN: Bureau Exhibit 184 is received.

1 (Whereupon, the document previously  
2 marked for identification as Bureau  
3 Exhibit 184 was received into  
4 evidence.)

5 JUDGE CHACHKIN: Bureau Exhibit 192, which is  
6 another newsletter.

7 MR. SHOOK: The list of stations, Your Honor, which  
8 appears on page 3.

9 JUDGE CHACHKIN: Bureau Exhibit 192 is received.  
10 (Whereupon, the document previously  
11 marked for identification as Bureau  
12 Exhibit 192 was received into  
13 evidence.)

14 JUDGE CHACHKIN: Now, Bureau Exhibit 210 is the  
15 minutes of a meeting, and I will receive the exhibit.

16 MR. TOPEL: Yes, Your Honor, may I have one moment  
17 to find that?

18 JUDGE CHACHKIN: Yes.

19 MR. TOPEL: Okay, that's consistent with our  
20 discussions this morning.

21 JUDGE CHACHKIN: That's correct.

22 (Whereupon, the document previously  
23 marked for identification as Bureau  
24 Exhibit 210 was received into  
25 evidence.)

1 JUDGE CHACHKIN: Bureau Exhibit 212, what's the  
2 basis of your objection?

3 MR. TOPEL: As far as I can tell, Your Honor, this  
4 seems similar to the filled position reports for the Portland  
5 station that TBF offered, and that Your Honor sustained -- to  
6 which Your Honor sustained an objection. I don't -- this  
7 document doesn't seem to go to any process of control over  
8 staffing or any other issue that's relevant to the de facto  
9 control matter.

10 JUDGE CHACHKIN: Well, on the face of it you can see  
11 it's addressed to all the stations including NMTV.

12 MR. TOPEL: 212?

13 JUDGE CHACHKIN: 212, yes.

14 MR. COHEN: Your Honor, what does your 212 say?

15 MR. TOPEL: My, my 212 --

16 JUDGE CHACHKIN: I'm sorry, 216, excuse me. Excuse  
17 me, 212, what is the basis for the --

18 MR. TOPEL: Yes, it's as, it's as I stated,  
19 Your Honor --

20 JUDGE CHACHKIN: Yeah, I know, but what does, what  
21 does the Bureau wish to profile --

22 MR. TOPEL: Oh.

23 MR. SHOOK: Basically just for assistance in  
24 identifying two individuals, that being Carol Prentiss and  
25 Timothy Ullery. There's really no other purpose.



1 JUDGE CHACHKIN: For that limited purpose, I will  
2 receive it.

3 (Whereupon, the document previously  
4 marked for identification as Bureau  
5 Exhibit 212 was received into  
6 evidence.)

7 JUDGE CHACHKIN: 213? That's another newsletter.

8 MR. SHOOK: The list of stations that appears on  
9 page 2; the list of victories that appears on page 3, the  
10 bottom of the page; the reference to low-power stations that  
11 appears on page 5 at the top of the page. That would be, that  
12 would be our focus, Your Honor.

13 JUDGE CHACHKIN: Bureau Exhibit 213 is received.

14 (Whereupon, the document previously  
15 marked for identification as Bureau  
16 Exhibit 213 was received into  
17 evidence.)

18 JUDGE CHACHKIN: 219. Another newsletter.

19 MR. SHOOK: Your Honor, the third page, the upper  
20 right-hand portion, the list of victories; the fourth page,  
21 simply to show Edie Hill as a programmer -- I recognize that  
22 that's already in evidence in other parts; and the sixth page,  
23 which would be the list of stations.

24 JUDGE CHACHKIN: Bureau Exhibit 219 is received.

25 (Whereupon, the document previously